



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: DIETMAR SPANKE

CONFIRMATION: 9789

SERIAL NO.: 10/583,354

GROUP ART UNIT: 2856

FILED: Jan. 31, 2007

EXAMINER: A. T. Devito

FOR: Filling Level Measurement Method ...

ATTY. REFERENCE: SPAN3008/FJD

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF APPEALS

COMMISSIONER OF PATENTS

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated: **June 29, 2009**  
of the Primary Examiner finally rejecting claims: **11, 17-18 and 20**

The Appeal Fee is:

- ☒ enclosed      ☒ \$540.      ☐ \$270.
- ☐ not required (fee paid in prior appeal in this application).
- ☐ requested to be charged to **Deposit Account Number 02-0200**. A duplicate copy of this sheet is enclosed.
- ☐ Small Entity Status is claimed.
- ☒ The Commissioner is hereby authorized to charge any additional fees associated with this communication, including fees due under 37 CFR 1.16 and 37 CFR 1.17 or credit any overpayment to **Deposit Account Number 02-0200**. A duplicate copy of this sheet is enclosed.

23364

Customer Number

Phone: (703) 683-0500

Respectfully submitted,

12/01/2009 SZEWDIE1 00000051 10583354

21 52:1401

540.00 OP

Felix J. D'Ambrosio

Attorney for Applicant

Registration Number: 25,721

DATE: Nov. 30, 2009